

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

Bayview Loan Servicing, LLC



Order Filed on February 6, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Edith F. Tobia,

Debtor.

Case No.: 18-13338 MBK

Adv. No.:

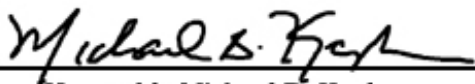
Hearing Date: 2/4/2020 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 6, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Edith F. Tobia

Case No: 18-13338 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bayview Loan Servicing, LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 230 Princeton Avenue, Brick, NJ, 08724-4373, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Marc C. Capone, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 31, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due November 2019 through January 2020 for a total post-petition default of \$4,380.30 (3 @ \$2,049.86 less \$1,769.28 in suspense); and

It is **ORDERED, ADJUDGED and DECREED** that the debtor can make an immediate payment of \$2,330.44; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$2,049.86 will be paid by Debtor remitting \$341.64 per month for five months and \$341.66 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on February 1, 2020 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2020, directly to Secured Creditor's servicer, Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor, STE 301, Coral Gables, FL 33146 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: Darlene K. Hasko

Case No: 16-20618-JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Edith F. Tobia
DebtorCase No. 18-13338-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 07, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2020.

db Edith F. Tobia, 230 Princeton Ave, Brick, NJ 08724-4373

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 09, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2020 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Albert Russo docs@russotrustee.com
 Denise E. Carlson on behalf of Creditor Bayview Loan Servicing, LLC dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Jeanette F. Frankenberg on behalf of Loss Mitigation Santander Bank cmecf@sternlav.com
 Kevin Gordon McDonald on behalf of Creditor Bayview Loan Servicing, LLC
 kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
 Loren L. Speziale on behalf of Creditor Santander Bank, N.A. lspeziale@grossmcginley.com,
 jkacsur@grossmcginley.com;ehutchinson@grossmcginley.com
 Marc C Capone on behalf of Debtor Edith F. Tobia mcapone@gbclawgroup.com,
 docs@caponeandkeefe.com,ecf@gbclawgroup.com;e4eaf5f23@maildrop.clio.com;mcapone@gbclawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8